

SENATE BILL 980
By Miller J

AN ACT to amend Tennessee Code Annotated, Title 36; Title 37
and Title 71, relative to child support.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-103, is amended by adding the following at the end of subdivision (f)(1)(A):

The department shall obtain approval for any administrative adjustments made to a child support from a court of this state having jurisdiction over the parties. If a party appeals the administrative order pursuant to part 10 of this chapter, the department shall not initiate obtaining court approval until the appeal is resolved. If the adjustment is not approved in accordance with this section, the adjustment shall be invalid.

SECTION 2. Tennessee Code Annotated, Section 36-5-402, is amended by adding the following as an appropriately designated subsection:

() Hearings in all child support cases which seek to modify support shall be heard before a court of this state having proper jurisdiction over the parties or before a referee or master appointed pursuant to this part. Petitions to modify child support shall not be heard before an administrative tribunal.

SECTION 3. Tennessee Code Annotated, Section 36-5-801, is amended by adding the following as a new appropriately designated subsection:

() Nothing in this section shall be construed to allow the department to hear petitions to modify child support. Such petitions shall be brought before a court of this state having proper jurisdiction over the parties.

SECTION 4. Tennessee Code Annotated, Section 36-5-2102, is amended by designating the existing language as subsection (a) and adding the following language as subsection (b):

Nothing in this part shall be construed to allow the department to hear petitions to modify child support orders entered by a tribunal of this state.

SECTION 5. Tennessee Code Annotated, Section 36-6-101(b), is amended by redesignating subsection (b) as subdivision (b)(1) and by adding the following language as subdivision (b)(2):

The department of human services or its designee shall not enforce, modify or alter a child support decree without a prior determination of custody from the appropriate court in this state having divorce jurisdiction over the parties.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.